

**Appendix A**  
**RWQCB Letter Request**  
**Under Section 13267 of the California Water Code**

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**California Regional Water Quality Control Board  
San Francisco Bay Region**

Internet Address: <http://www.swrcb.ca.gov>  
1515 Clay Street, Suite 1400, Oakland, California 94612  
Phone (510) 622-2300 • FAX (510) 622-2460



Gray Davis  
Governor

**AUG 10 1999**

File No. 2119.1045 (TS)

Tony Koo  
Rhodia Inc.  
100 Mococo Road  
Martinez, CA 94553

**SUBJECT: Request for Remediation Plan and Periodic Status Reports for the  
Peyton Slough Remediation Project. Rhodia, Martinez Facility,  
Martinez, Contra Costa County.**

Dear Mr. Koo:

The primary intent of this letter is to request a remediation plan and periodic status reports for the preparation of cleanup activities and cleanup of Peyton Slough. This letter also intends to clarify Board Staff's position and requirements related to the two remediation options for Peyton Slough which are discussed below.

Board staff have considered two options for remediation of Peyton Slough. Although the details for implementation of each option have not been presented, conceptually staff approves of either option. However, Option 2 is the preferred alternative since it potentially offers greater flood control and environmental improvement benefits. Unfortunately, based on recent interagency discussions, it is unclear whether Caltrans/Contra Costa Mosquito and Vector Control District funding that is needed to implement Option 2 will be available for the project. Board staff require that all remediation work by either option be completed by **October 15, 2000**.

**Option 1- Remediation of Peyton Slough - Fully Funded by Rodia.**

Option 1's intent is to encapsulate contaminated sediments below a three-foot thick soil cap. Option 1 requires the excavation of contaminated sediments to a depth of three feet below the current slough bed profile and to refill with three feet of clean stable fill. Option 1 may require the excavation and capping of slough sidewalls.

**Option 2- Remediation of Peyton Slough - Funded by Rodia and Others**

Option 2's intent is to encapsulate contaminated sediments below a three-foot thick soil cap. Option 2 requires the excavation of contaminated sediments to approximately -8 feet MMLW and to refill with three feet of clean stable fill to approximately -5 feet MLLW. Option 2 may require the excavation and capping of slough sidewalls. The

*California Environmental Protection Agency*

**EXHIBIT A**

additional excavation required for Option 2 may reduce the risk of flooding of Highway 680 and Waterfront Road, and may enhance the marshlands within the vicinity of the project. However, funding for the additional excavation required by Option 2 is not secured at this time, and may not become available at all.

#### **Additional Requirements for Option 1 or Option 2**

Prior to preparation of a Remedial Action Plan for Peyton Slough several issues need to be resolved. The following list includes but is not limited to issues that Regional Board staff have identified as critical items that must be resolved in order for the remediation of Peyton Slough to be completed by October 15, 2000.

1. Permitting issues need to be resolved with BCDC, ACOE, and Fish and Wildlife.
2. Concurrence for remediation of the slough from the State Lands Commission must be obtained.
3. Stability of the three foot soil cap and any sidewall cap must be evaluated to assure flows through the channel will not erode the soil cap.
4. An assessment of Peyton Slough sidewall contamination must be conducted.
5. A plan must be developed in order to protect the cap from damage by future maintenance dredging of Peyton Slough.
6. A long-term monitoring and cap maintenance/repair plan must be developed.
7. An offsite disposal source must be secured.
8. A soil supply for cap material must be secured.

#### **Reporting Requirements**

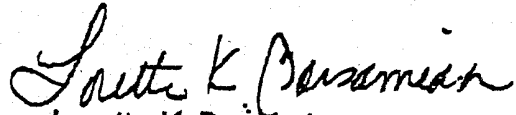
Please submit the following technical reports, acceptable to the Executive Officer in accordance with the set due dates.

1. **Progress Reports** - Reports track key tasks completed and supply supporting documentation of task completion. Reports Due: by the 14<sup>th</sup> and 28<sup>th</sup> of each month until remediation field work begins. The first progress report is due by **August 28<sup>th</sup> 1999**.
2. **Remediation Plan** - A comprehensive remediation plan and schedule to implement the plan must be developed and submitted for Board Staff review no later than **November 14, 1999**.

3. **Post Remediation Implementation Plan** - A comprehensive plan that documents completion of remediation of Payton Slough shall be submitted no later than November 15, 2000.

This information is being requested pursuant to Section 13267 of the California Water Code. This is a formal request for information. Should you have any questions on this matter, please call Terry Seward at 510-622-2416.

Sincerely,

  
Loretta K. Barsamian  
Executive Officer

cc. Curtis T. Scott, RWQCB  
Terry Seward, RWQCB  
Karen Taberski, RWQCB

Karl Malamud-Roam  
Contra Costa Mosquito and Vector Control District  
155 Mason Circle  
Concord, CA 95420

Mike Rugg  
California Department of Fish and Game  
P.O. Box 47  
Yountville, CA 94599

Mo Pazooki P.E.  
California Department of Transportation  
District 4  
P.O. Box 23660  
Oakland, CA 94623-0660